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Report of the Working Group on the Universal Periodic Review*

Egypt

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

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I. Introduction

1. The Arab Republic of Egypt takes this opportunity to reaffirm its commitment to protecting human rights, to taking vigorous action at the national and international level to promote human rights, and to cooperating actively and constructively with the Human Rights Council.

2. Egypt also confirms its desire to cooperate with and support the universal periodic review (UPR) mechanism in view of the tangible results it has achieved in protecting and promoting human rights throughout the world, relying on the basic principles of objectivity and transparency. The consultative and cooperative approach adopted guarantees the durability of the UPR and enhances the prospects of achieving the goals to which it aspires, while respecting countries' cultures and the action they take to protect and promote human rights, which are universal and interrelated, as underscored by Human Rights Council resolution 3/21 of 20 September 2012.

3. Egypt was presented with 300 recommendations at the twenty-eighth session of the Working Group on the Universal Periodic Review. Prime Ministerial Decision No. 37 of 2015 established a standing National Committee to study the recommendations and to propose the policies and measures required to implement those deemed to be acceptable. The Committee serves as the national rapporteur on human rights and has been assigned the task of promoting human rights in Egypt in line with the Constitution and the country's international obligations and in accordance with the parameters established by independent national institutions.

4. The Committee has organized wide-ranging consultations with national governmental agencies, national human rights institutions and civil society organizations to hear their views concerning the recommendations.

II. Views and conclusions of Egypt on the recommendations it received

5. The amended Constitution, which entered into force on 18 January 2014, represents a triumph for the goals and principles of the revolution and a qualitative step towards improving the human rights situation in Egypt. The Constitution makes respect for and protection of human rights and fundamental freedoms a basic constituent of the country's political system, dedicating an entire chapter to them and including provisions for rights that were not previously recognized in the country's Constitution, such as the right to strike peacefully, the right to human dignity for all citizens and the State's obligation to protect that right, the right to freedom of belief, thought and opinion, to freedom of scientific research and to freedom of artistic and literary creativity, and the right to form civil associations and institutions by notification. The Constitution also recognizes the equality of all citizens and guarantees equal enjoyment of rights and freedoms without discrimination on any ground. It requires the State to eliminate all forms of discrimination and to establish an independent commission for the purpose. The Constitution also provides for the creation of a genuine partnership between the State and civil society organizations and contains detailed guarantees aimed at protecting rights and freedoms and rendering them more effective.

Before presenting its views, Egypt would like to state the following:

- **Its full or partial acceptance of the recommendations is subject to the provisions of the Egyptian Constitution and the country's international obligations. Some of the recommendations have already been implemented in practice;**
- **Partial acceptance means that Egypt accepts part of the recommendation or the purpose of the recommendation but does not agree on how it should be implemented or on the proposed time frame for its implementation;**
- **Non-acceptance of certain recommendations may be due to the fact that they are incompatible with the Egyptian Constitution or with the rights of States recognized under international law or international human rights law. A recommendation may contain false allegations that Egypt considers to be inaccurate. In other cases, Egypt takes note of certain recommendations because Egyptian law recognizes the rights that they guarantee and the judiciary oversees their effective implementation, in accordance with international standards.**

6. **The following views of Egypt on the recommendations made are divided into sections based on the subject matter.**

A. Accession to and compliance with international human rights treaties and withdrawal of reservations

7. The Government is required under the Constitution to review the enactment or amendment of all legislation governing citizens' rights in order to ensure that it is consistent with the international human rights treaties that Egypt has ratified. In this context, Egypt is currently examining its reservation to articles 2 and 16 of the Convention on the Elimination of All Forms of Discrimination against Women. Acceptance by States of articles 21 and 22 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment is optional and Egypt has currently no intention of withdrawing its reservation. In light of the foregoing:

- The following recommendations have been accepted:

  166.19, 166.20, 166.21, 166.22, 166.23, 166.24, 166.25 and 166.26;

- The following recommendations have been partially accepted:

  166.14, 166.16, 166.17 and 166.18;

- The following recommendations have not been accepted:

  166.2, 166.3, 166.4, 166.5, 166.6, 166.7, 166.8 and 166.9;

- Note has been taken of the following recommendations:

  166.1, 166.10, 166.11, 166.12, 166.13 and 166.15.

B. Measures concerning the legislative and institutional framework

8. All forms of torture constitute offences under the Constitution that are not subject to the statute of limitations. The Constitution also guarantees the right to human dignity. The Government considers that the perpetrators of any attack against citizens who are legitimately exercising their rights should be brought to justice, regardless of their status. In light of the foregoing:

- The following recommendations have been accepted:

  166.27, 166.28, 166.30, 166.31, 166.32, 166.33, 166.36, 166.37, 166.38, 166.39, 166.40, 166.41, 166.42, 166.43, 166.44, 166.45, 166.46, 166.47, 166.48, 166.49, 166.100, 166.112, 166.113, 166.114, 166.115, 166.117, 166.118, 166.119, 166.120, 166.121, 166.122, 166.123, 166.124, 166.125, 166.126 and 166.127;

- The following recommendation has been partially accepted:

  166.35;

- The following recommendations have not been accepted:

  166.101, 166.102, 166.103, 166.104, 166.105, 166.106, 166.107, 166.108, 166.109, 166.110, 166.111, 166.116 and 166.128;

- Note has been taken of the following recommendations:

  166.29 and 166.34.

C. The rights of women, children, persons with disabilities, families and other groups

9. Egypt reaffirms what it stated in its national report concerning the rights of women, children, persons with disabilities and the poorest sectors of society, who are referred to by the term "marginalized groups". According to the Constitution, a child is a person under the age of 18. Children cannot be sentenced to death on being convicted of a crime. All forms of violence against women are criminalized. There are currently no armed conflicts in Egypt of the kind described in Security Council resolution 1325 (2000). In light of the foregoing:

- The following recommendations have been accepted:

  166.50, 166.51, 166.52, 166.53, 166.54, 166.55, 166.56, 166.71, 166.72, 166.73, 166.74, 166.75, 166.76, 166.77, 166.78, 166.79, 166.80, 166.81, 166.82, 166.83, 166.84, 166.85, 166.86, 166.87, 166.88, 166.89, 166.90, 166.91, 166.92, 166.93, 166.94, 166.95, 166.96, 166.97, 166.98, 166.99, 166.129, 166.130, 166.133,166.141, 166.142, 166.143, 166.144, 166.146, 166.147, 166.148, 166.149, 166.150, 166.151, 166.152, 166.153, 166.154, 166.155, 166.156, 166.157, 166.158, 166.160, 166.162, 166.163, 166.164, 166.165, 166.166, 166.167, 166.168, 166.175, 166.194, 166.195, 166.196, 166.257, 166.258, 166.280, 166.281, 166.282, 166.283 and 166.284;

- The following recommendations have been partially accepted:

  166.145, 166.159 and 166.161.

D. Cooperation with international human rights bodies

10. Egypt has greatly increased its cooperation with the special procedures of the Human Rights Council and it has hosted a number of special procedure mandate holders. Other invitations are currently being studied in light of the circumstances pertaining to each case and the Code of Conduct for Special Procedures Mandate-holders. In light of the foregoing:

- The following recommendations have been accepted:

  166.57, 166.58, 166.59, 166.66, 166.67, 166.68, 166.69 and 166.70;

- Note has been taken of the following recommendations:

  166.60, 166.61, 166.62, 166.63, 166.64 and 166.65.

E. Promotion of a human rights culture and of human rights education and training

11. In addition to the statements made during the interactive dialogue, all the recommendations in this section have been accepted:

166.131, 166.132, 166.134, 166.135, 166.136, 166.137, 166.197 and 166.198.

F. Procedures and guarantees pertaining to the judicial system and transitional justice

12. Guarantees of fair and impartial judicial proceedings for all citizens without discrimination are enshrined in the Constitution and the Code of Criminal Procedure, and civilians are tried before civilian courts unless they have been charged with attacks on military installations. The law authorizes the civilian judiciary to order pretrial detention, but it also guarantees the neutrality of judges and prohibits the arbitrary exercise of judicial authority to order pretrial detention. The Government insists that there is no truth in the allegations of mass killings. Moreover, all reports concerning the killing of demonstrators have been subjected to fair and impartial investigations by the judiciary, regardless of the status of the accused. Independent fact-finding committees have investigated all such cases that occurred during the revolutions of 25 January and 30 June, as broadcast and announced to the general public. In light of the foregoing:

- The following recommendations have been accepted:

  166.140, 166.177, 166.179, 166.180, 166.183, 166.184, 166.185, 166.188, 166.189, 166.190 and 166.193;

- The following recommendations have been partially accepted:

  166.178, 166.182 and 166.187;

- The following recommendation has not been accepted:

  166.186;

- Note has been taken of the following recommendations:

  166.138, 166.139, 166.181 and 166.191;

- The following recommendation is inaccurate:

  166.192.

G. Combating human trafficking and illegal migration

13. In light of the information provided during the interactive dialogue, all the recommendations in this section have been accepted:

166.169, 166.170, 166.171, 166.172, 166.173, 166.174, 166.176, 166.286, 166.287, 166.288, 166.289 and 166.290.

H. Civil and political rights

14. Articles 53 and 64 of the Constitution guarantee freedom of belief and prohibit all forms of discrimination. Any incitement by word or deed to hatred and discrimination constitutes an offence and the State takes the necessary steps to prevent individual practices that contravene this norm. The Government confirms that there are no religious minorities in Egypt. All citizens are equal before the law and there is no discrimination between them. The Constitution recognizes civil society as a basic partner of the Government in promoting civil, political and economic rights, and the Government engages in wide-ranging consultations with civil society when drafting legislation that affects the activities of civil society organizations and the right to peaceful assembly, in accordance with the new Constitution and the country's international obligations. The Constitution also guarantees the right to freedom of expression for all citizens, regardless of their political affiliation, and does not sanction anyone for lawfully expressing his or her opinions by legal means. The journalists against whom judgements were recently handed down were not convicted because they were exercising their profession but because they had committed offences such as launching attacks on public and private property. In light of the foregoing:

- The following recommendations have been accepted:

  166.200, 166.201, 166.202, 166.203, 166.204, 166.205, 166.208, 166.209, 166.210, 166.212, 166.213, 166.214, 166.218, 166.219, 166.220, 166.221, 166.230, 166.232, 166.234, 166.236, 166.239,166.240, 166.241, 166.244, 166.245, 166.246, 166.248, 166.250, 166.251 and 166.252;

- The following recommendations have been partially accepted:

  166.199, 166.206, 166.224, 166.225, 166.228, 166.231, 166.233, 166.235, 166.237, 166.238, 166.243, 166.247 and 166.285;

- The following recommendation has not been accepted:

  166.226;

- Note has been taken of the following recommendations:

  166.207, 166.211, 166.215, 166.216, 166.217, 166.222, 166.223, 166.227, 166.229, 166.242 and 166.249.

I. Economic, social and cultural rights

15. In light of the content of the national report and the Government's responses during the interactive dialogue, all the recommendations in this section have been accepted:

166.253, 166.254, 166.255, 166.256, 166.259, 166.260, 166.261, 166.262, 166.263, 166.264, 166.265, 166.266, 166.267, 166.268, 166.269, 166.270, 166.271, 166.272, 166.273, 166.274, 166.275, 166.276, 166.277, 166.278, 166.279, 166.291, 166.292, 166.293 and 166.294.

J. Combating terrorism

16. Article 237 of the Constitution requires the State to combat all forms of terrorism while guaranteeing public rights and freedoms, and to pay fair compensation to victims of terrorism. The State has complied with this requirement, most recently by paying a monthly sum to the families of the 21 Egyptian victims of the terrorist Islamic State group in Libya. In light of the foregoing, all the recommendations in this section have been accepted:

166.295, 166.296, 166.297, 166.298, 166.299 and 166.300.